

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Tamikazu KUME, et al.

Serial No. 10/760,485

Filed: January 21, 2004

Group Art Unit: 1651

Docket No. 001458.00040

For: METHOD OF PROMOTING THE TAKE OF
NITROGEN FIXING MICROORGANISMS
TO PLANTS BY MAKING USE OF
RADIATION TREATMENT

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

It is requested that a Corrected Filing Receipt be issued to correct the errors found in the Official Filing Receipt. Specifically, errors have been identified in the Application Number and in the Title. In the Application Number please delete "10/760,473" and insert --10/760,485--. In the Title section, please delete "od Radiation Treatment" and replace it with --of Radiation Treatment--.

A copy of the Official Filing Receipt with the corrections marked in red, along with the original, is attached. No fee is believed to be associated with this paper since these errors occurred through no fault of the Applicants. Nonetheless, should the USPTO determine that a fee is required, please charge such fee to our Deposit Account No. 19-0733.

Respectfully submitted,

Date: June 14, 2004

By:

William J. Fisher
William J. Fisher
Reg. No. 32,133

BANNER & WITCOFF
1001 G Street, N.W., 11th Floor
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WJF



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/760,473	01/21/2004	1651	770	001458.00040	2	4	1

10/760,485

22907
BANNER & WITCOFF
1001 G STREET N W
SUITE 1100
WASHINGTON, DC 20001



CONFIRMATION NO. 9811

FILING RECEIPT



OC000000012474574

Date Mailed: 04/30/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Tamikazu Kume, Takasaki-shi, JAPAN;
Hidefumi Takeshita, Naka-gun, JAPAN;
Shu Fujimaki, Takasaki-shi, JAPAN;
Takuji Ohyama, Niigata-shi, JAPAN;
Norikuni Ohtake, Niigata-shi, JAPAN;

Assignment For Published Patent Application

Japan Atomic Energy Research Institute, Kashiwa-shi, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 12057/2003 01/21/2003

If Required, Foreign Filing License Granted: 04/28/2004

Projected Publication Date: 08/05/2004

Non-Publication Request: No

Early Publication Request: No

001458.00040
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CONFIRMATION NO. 9811

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Assignment For Published Patent Application

Japan Atomic Energy Research Institute, Kashiwa-shi, JAPAN;

Domestic Priority data as claimed by applicant

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Projected Publication Date: 08/05/2004

Non-Publication Request: No

Early Publication Request: No

001458.00040
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Title

Method of promoting the take of nitrogen fixing microorganisms to plants by making use of radiation treatment

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



☒ PATENT ☐ DESIGN

B&W Ref.: 001458.00040

RETURN WHEN SERIAL NUMBER IS ASSIGNED TO APPLICATION

USPTO: Please return this card, indicating receipt date and Application Serial No. of the following patent application:

Applicant(s): Tanikazu Kume et al.

Title: METHOD OF PROMOTING THE TAKE OF NITROGEN FIXING MICROORGANISMS TO PLANTS
BY MAKING USE OF RADIATION TREATMENT

22141 U.S. PTO
10/760485



012104

Filing Date: JANUARY 21, 2004

Client: YASA + NARA

Client Ref.: CHICE: KHA; FP/N-3-54763

Attorney/Secretary: WSF/gad

☒ PATENT ☐ DESIGN

B&W Ref.: 001458.00040

Date: 1/21/04

☐ HAND CARRY Group/Section

Bldg

Rm

Serial/Patent No. 76A

Atty/Sec WSF/gad

Inventor Kume et al.

Client YASA + NARA

Title: METHOD OF PROMOTING THE TAKE OF NITROGEN FIXING MICROORGANISMS TO PLANTS BY MAKING USE OF RADIATION TREATMENT

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

☒ 12 total pp Spec., including: # of Claims 4

(# of independent claims 1); ☒ Abstract

☒ Drawings: ☐ Formal ☒ Informal

of distinct sheets 2: Figs. 1-3

☒ Declaration/Power of Attorney: ☒ Executed ☐ Unexecuted

☒ Assignment w/PTO Cover Sheet

☐ IDS w/PTO 1449 ☐ References ☐ w/Fee

☒ Preliminary Amendment

☒ Priority Claim (Foreign or U.S. Provisional. B&W # JP 12057/2003)

Country JP

Appl. # 12057/2003

Date 1/21/04

☒ w/Foreign Priority Document(s)

☐ Application: ☐ CIP ☐ Continuation ☐ Divisional

Parent Ser. No. B&W#

☐ U.S. Provisional pp Spec/Claims; Cover Sheet

☐ Response to Missing Parts/Requirements dtd

☐ Response to Notice to File Corrected Appln. Papers dtd

☐ Request for Expedited Foreign Filing License

☐ Request for Corrected: ☐ Filing Receipt

☐ Assignment

☐ Response to Restriction/Election Requirement

☐ Sequence Listing: ☐ Diskette ☐ Paper

☐ Amendment: ☒ Response: OA dtd

☐ Petition for Extension of Time until

☐ CPA ☐ RCE ☐ w/Ext of Time: OK

☐ Request for Approval of Drawing Changes

☐ Notice of Appeal & Fee

☐ Brief: ☐ Appeal & Fee

☐ Request for Oral Hearing

☐ Issue Fee ☐ Advance Patent Copy ordered

Notice of Allowance dtd

☐ Amendment under 37 CFR 1.312

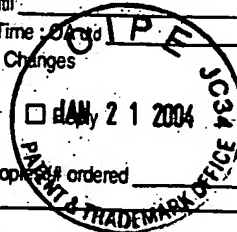
☐ Request for Certificate of Correction

☒ Transmittal ☒ Fee Transmittal w/Auth. to Charge Deposit Acct.

☐ Certificate of Mailing

☐ Check # 443 for \$

☒ 443



9

Banner & Witcoff Ref. No.
Client Ref. No.

JOINT DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names;

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD OF PROMOTING THE TAKE OF NITROGEN FIXING MICROORGANISMS TO PLANTS BY MAKING USE OF RADIATION TREATMENT** the specification of which

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial Number _____ and was amended on _____ (if applicable).
☐ was filed under the Patent Cooperation Treaty (PCT) and accorded International Application No. _____, filed _____, and amended on _____ (if any).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We hereby acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56(a).

Prior Foreign Application(s)

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application No.	Date of Filing (day month year)	Date of Issue (day month year)	Priority Claimed Under 35 U.S.C. §119
Japan	12057/2003	21/1/2003		Yes

Prior United States Provisional Application(s)

We hereby claim priority benefits under Title 35, United States Code, §119(e)(1) of any U.S. provisional application listed below:

U.S. Provisional Application No.	Date of Filing (day month year)	Priority Claimed Under 35 U.S.C. §119(e)(1)

Prior United States Application(s)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Date of Filing (Day, Month, Year)	Status — Patented, Pending, Abandoned